



January 20, 2004 CPC

February 17, 2004 CPC

March 16, 2004 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

04SN0187

Michael D. Sifen, Inc.

Midlothian Magisterial District
North line of Hull Street Road

REQUEST: Rezoning from Agricultural (A) to General Business (C-5).

PROPOSED LAND USE:

Commercial uses, to include "Self Storage" facility, as restricted by the proffered conditions, are planned.

RECOMMENDATION

(NOTE: IN ORDER FOR THE COMMISSION TO CONSIDER THIS CASE AT THEIR MARCH 16, 2004, PUBLIC HEARING, A \$230.00 DEFERRAL FEE MUST BE PAID.)

Recommend denial for the following reasons:

- A. The Route 360 Corridor Plan suggests a portion of the property is appropriate for general commercial/light industrial use and a portion is appropriate for mixed use corridor uses. The commercial uses requested comply with the Plan while the self storage facility use does not.
- B. The Plan suggests the use of appropriate land use transitions between existing and future residential development and the higher intensity uses existing and proposed along the Route 360 Corridor. The location of the proposed self storage facility does not provide the suggested land use transition.

- (NOTES: A. THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS.
- B. IT SHOULD BE NOTED THAT THE REVISED PROFFERED CONDITIONS WERE NOT SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE COMMISSION'S PUBLIC HEARING PER THE "SUGGESTED PRACTICES AND PROCEDURES". THE "PROCEDURES" SUGGEST THAT THE CASE SHOULD BE DEFERRED IF REPRESENTATIVES FROM THE AFFECTED NEIGHBORHOOD(S), STAFF AND THE COMMISSIONERS HAVE NOT HAD SUFFICIENT TIME TO EVALUATE THE AMENDMENTS. STAFF HAS HAD AN OPPORTUNITY TO THOROUGHLY REVIEW THE PROFFER.)

PROFFERED CONDITIONS

The property owners and applicant in this rezoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the development of the property under consideration will be developed according to the following proffers if, and only if, the rezoning request submitted herewith is granted with only those conditions agreed to by the owners and applicant. In the event this request is denied or approved with conditions not agreed to by the owners and applicant, the proffers shall immediately be null and void and of no further force or effect.

1. Use Restrictions. That portion of the Property shown as "Self Storage" on the Site Plan in Proffered Condition 5 may only be used for a self-service storage facility with an accessory office and dwelling unit for its manager and such uses as are customarily accessory and incidental thereto. The following uses shall not be permitted as primary uses in the retail portion of the Property:
 - a. any use not permitted in the Community Business (C-3) District;
 - b. cocktail lounges and nightclubs;
 - c. second hand stores;
 - d. outside runs associated with veterinary hospitals and/or kennels;
 - e. material reclamation receiving centers;
 - f. taxidermies;
 - g. coin operated dry cleaning and/or laundry services;
 - h. residential multifamily and/or townhouses;
 - i. liquor store;
 - j. motor vehicle washes;
 - k. motorcycle sales, service and/or repair;
 - l. theaters;
 - m. motor vehicle sales and/or rental; or

- n. indoor flea markets. (P)
- 2. Prohibition on Materials Stored. No self-service storage facility shall permit the storage of flammable, hazardous, radioactive, illegal or any other similar materials on site. (P)
- 3. Transportation.
 - a. Prior to any site plan approval, forty-five (45) feet of right-of-way on Turner Road, measured from the centerline of that part of Turner Road immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County.
 - b. There shall be no direct access from the property to Route 360. There shall be no direct access from the property to Dyer Lane. Direct access from the property to Turner Road shall be limited to one entrance/exit. The exact location of this entrance/exit shall be determined by the Transportation Department.
 - c. Prior to the issuance of a certificate of occupancy, the developer shall be responsible for: 1) construction of additional pavement along Turner Road to provide a right turn lane at the site access if warranted based on CDOT standards, and to the extent such improvement can be constructed within the Property; and 2) dedication, free and unrestricted, to and for the benefit of Chesterfield County of any additional right-of-way required for this improvement (T)
- 4. Outside Storage. There shall be no outside storage of materials or goods on the Property. (P)
- 5. Site Plan. Development of the Property for a self-service storage facility shall be in general conformance with the conceptual site plan attached hereto as it relates to internal focus of loading areas, unless otherwise approved by the Planning Commission at the time of Site Plan review. (P)
- 6. Lighting. All exterior lighting for a self-service storage facility shall be low sodium vapor. Building mounted lighting shall be positioned below the roof line so as to minimize the impact of such lighting on any adjacent property. (P)
- 7. Building Height. Except for any office/manager's quarters, no self-service storage building shall exceed the lesser of one (1) story or fifteen (15) feet in height above grade to the roof, exclusive of mechanical equipment, chimneys or other architectural design features. (P)
- 8. Signage. Any free standing signs shall be monument style and, if lighted, internally lit. (P)

9. Public Utilities. The public water and waste water system shall be used. (U)
10. Timbering. With the exception of timbering to remove dead or diseased trees which has been approved by the Virginia State Department of Forestry, there shall be no timbering until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices installed in accordance with The Forestry Best Management Practices for Water Quality in Virginia. (EE)
11. Screening of Loading Areas. Screening of loading areas for any self-storage facility from adjacent properties to the northwest shall be achieved through the positioning of the self storage buildings in a compound-like manner such that the walls of the buildings closest to adjacent properties northwest of the self-storage facility shall be generally parallel to the southeast boundary line of Tax ID 7656988146. Further, loading areas shall be screened from Dyer Lane using walls, berms, or vegetation, the exact treatment of which shall be approved by the Planning Department at time of site plan review. (P)
12. Setbacks and Landscaping. Adjacent to properties that are zoned Agricultural (A) or for residential use, and adjacent to Dyer Lane, buildings, parking, and driveways shall be setback a minimum of fifty (50) feet. Such setback shall be landscaped with plantings meeting the requirements for Perimeter Landscaping B, as set forth in section 19-518(g) of the Zoning Ordinance. (P)

GENERAL INFORMATION

Location:

North line of Hull Street Road, east of Turner Road, and east line of Turner Road, north of Hull Street Road. Tax ID 765-698-Part of 8303 (Sheets 7 and 11).

Existing Zoning:

A

Size:

10.9 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - A; Single family residential or vacant
South - C-3 and C-5; Commercial
East - C-5; Commercial
West - A, R-7 and C-5; Single family residential, commercial or vacant

UTILITIES

Public Water System:

There is a sixteen (16) inch water line along the north side of Hull Street Road, adjacent to this site. In addition, there is a twenty (20) inch water line along the east side of Turner Road adjacent to this site. Use of the public water system is intended and has been proffered by the applicant. (Proffered Condition 9)

Public Wastewater System:

There is a fifteen (15) inch wastewater trunk line across the southern portion of this site to serve Forestdale Subdivision and other development west of Turner Road. Use of the public wastewater system is intended and has been proffered by the applicant. (Proffered Condition 9)

ENVIRONMENTAL

Drainage and Erosion:

The property drains to Route 360 and then via manmade channels and tributaries to Falling Creek. The property is mostly wooded and should not be timbered without first obtaining a land disturbance permit from the Environmental Engineering Department (Proffered Condition 10). There is a medium-sized stream on the property that crosses from Turner Road to Route 360. Route 360, at this location, is in a rather high fill and as such a large backwater will affect development of certain areas of the site. There are no existing or anticipated on- or off-site drainage or erosion problems.

PUBLIC FACILITIES

Fire Service:

The Manchester Fire Station, Company Number 2 and Forest View Volunteer Rescue Squad currently provide fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection and access requirements will be evaluated during the plans review process. This request will have only minimal impact on fire and EMS.

Transportation:

This request will not limit the property to a specific use; therefore, it is difficult to anticipate traffic generation. Based on shopping center trip rates, development of the property could generate 7,200 average daily trips (ADT); however, the applicant intends to develop a self-storage facility and retail out parcel. Based on mini-warehouse and shopping center trip rates, development could generate 1,850 ADTs. These vehicles would be distributed along Turner Road, which had a 2002 traffic count of 14,000 vehicles per day.

Development must adhere to the Development Standards Manual in the Zoning Ordinance relative to access and internal circulation (Division 5). The Thoroughfare Plan identifies Turner Road as a major arterial with a recommended right of way width of ninety (90) feet. The applicant has proffered to dedicate forty-five (45) feet of right of way on Turner Road in accordance with that Plan (Proffered Condition 3). Route 360 is also identified as a major arterial on the Plan. Access to major arterials such as Turner Road and Route 360 should be controlled. The applicant has proffered that no direct access will be provided to Route 360 and direct access to Turner Road will be limited to one (1) entrance/exit. The applicant has also proffered that no direct access will be provided to Dyer Lane. (Proffered Condition 3)

The traffic impact of this development must be addressed. Turner Road, adjacent to the property, is a five (5) lane typical section with a shared center left turn lane. The applicant has proffered to construct a right turn lane along Turner Road at the site access. (Proffered Condition 3)

At time of site plan review, specific recommendations will be made regarding access and internal circulation.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Route 360 Corridor Plan, which suggests the property is appropriate for general commercial/light industrial uses and for mixed use corridor uses.

Area Development Trends:

Adjacent property to the north is zoned Agricultural (A) and is developed for single family residential uses or is vacant. Properties to the south are zoned Community Business (C-3) and General Business (C-5) and are developed for commercial uses. Adjacent property to the east is zoned General Business (C-5) and is occupied by commercial uses. Properties to the west are zoned Residential (R-7), Agricultural (A) and General Business (C-5) and are developed for residential and commercial uses or are vacant. The Plan anticipates a mix of residential and office uses developing in the area around the northernmost portion of the property and general commercial/industrial uses to continue in the area around the Route 360/Turner Road intersection.

Development Standards:

Currently, the request property lies within the Hull Street Road Post Development Area and is also located along that portion of Hull Street Road subject to the requirements of the Zoning Ordinance for the Route 360 Highway Corridor District (Established Commercial Zone). The purpose of the Post Development Area standards is to provide flexible design criteria in areas that have already experienced development and ensure continuity of development. Redevelopment of the site or new construction must conform to the development standards of the Zoning Ordinance, which address access, parking, landscaping, architectural treatments, setbacks, signs, buffers, utilities and screening of dumpsters and loading areas. In addition to these requirements, the applicant has offered additional standards for lighting, building heights and signage. (Proffered Conditions 6, 7 and 8)

Within the Established Commercial Zone, special development standards would apply to any nonresidential development on the request property. These standards require special landscaping within setbacks and architectural treatment of buildings. At the time of site plan review for any development on the request property, consideration must be given to how these requirements, as they apply to this site, would be accomplished.

Buffers and Screening:

The Zoning Ordinance requires that solid waste storage areas (i.e., dumpsters, garbage cans, trash compactors, etc.) on property which is adjacent to an A District be screened from view of such district by a masonry or concrete wall which is constructed of comparable materials to and designed to be compatible with the principal building that such area serves. Solid waste storage areas must be screened from view of public rights of way by a solid wall, fence, dense evergreen plantings or architectural feature. Such area within 1,000 feet of any A District must not be serviced between the hours of 9:00 p. m. and 6:00 a. m. In addition, sites must be designed and buildings oriented so that loading areas are screened from any property where loading areas are prohibited and from public rights of way. Proffered Condition 5 would require loading areas to have an internal focus. Proffered Condition 11 would require specific screening methods from properties to the northwest and from Dyer Lane. In addition, the applicant has proffered that there will be no storage of flammable, hazardous, radioactive or illegal or similar materials or any outside storage on the property. (Proffered Conditions 2 and 4)

The applicant has agreed to provide a landscaped setback adjacent to properties to the northwest and to Dyer Lane in order to minimize the visual impact of the proposed development on these properties. (Proffered Condition 12)

CONCLUSIONS

The Route 360 Corridor Plan suggests a portion of the property is appropriate for general commercial/light industrial use and a portion is appropriate for mixed use corridor uses. The commercial uses requested comply with the Plan while the self storage facility use does not.

The Plan suggests the use of appropriate land use transitions between existing and future residential development and the higher intensity uses existing and proposed along the Route 360 Corridor. The proposed location of the self storage facility is not in conformance with the Plan.

Given these considerations, denial of this request is recommended.

CASE HISTORY

Planning Commission Meeting (1/20/04):

At the request of the applicant, the Commission deferred this case to February 17, 2004.

Staff (1/21/04):

The applicant was advised in writing that any significant new or revised information should be submitted no later than January 26, 2004, for consideration at the Commission's February 17, 2004, public hearing. Also, the applicant was advised that a \$230.00 deferral fee must be paid prior to the Commission's public hearing.

Staff (1/28/04):

To date, no new information has been received.

Applicant (1/29/04):

The deferral fee was paid.

Planning Commission Meeting (2/17/04):

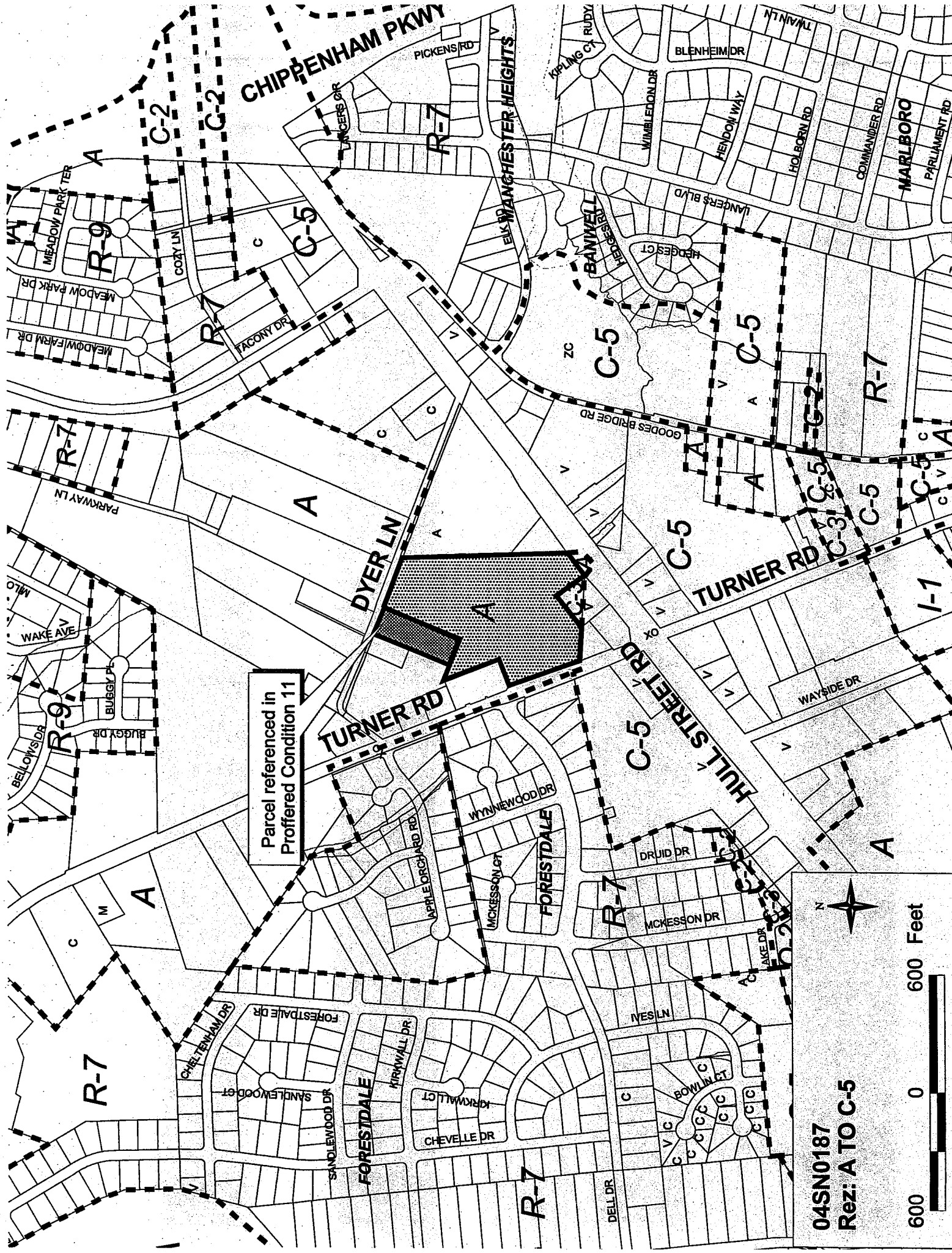
At the request of the applicant, the Commission deferred this case to March 16, 2004.

Staff (2/18/04):

The applicant was advised in writing that any significant new or revised information should be submitted no later than February 23, 2004, for consideration at the Commission's March 16, 2004, public hearing. Also, the applicant was advised that a \$230.00 deferral fee must be paid prior to the Commission's public hearing.

Staff (2/20/04):

To date, the \$230.00 deferral fee has not been paid nor has any new information been submitted.



Parcel referenced in
Proffered Condition 11









04SN0187
Rez: A TO C-5

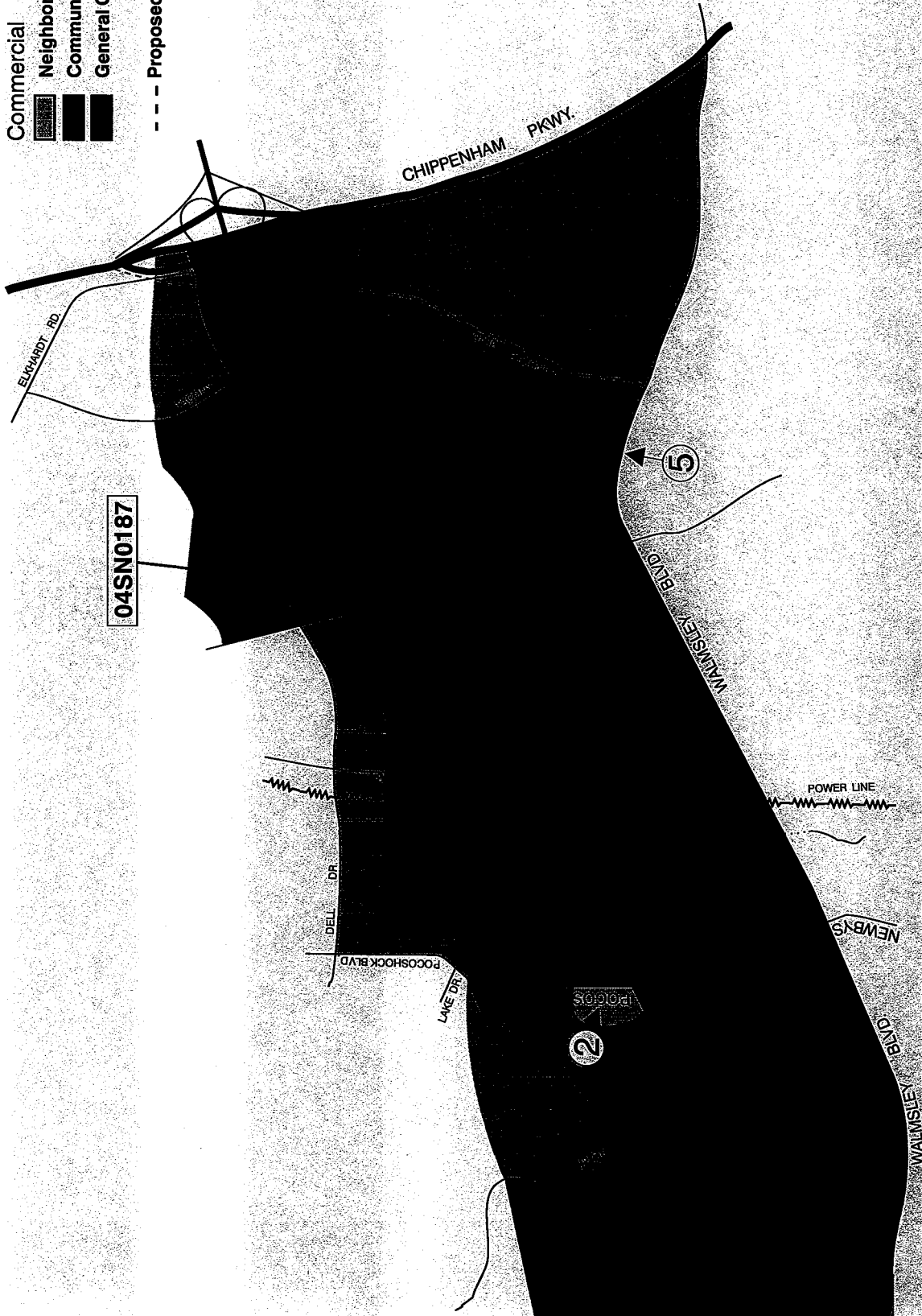
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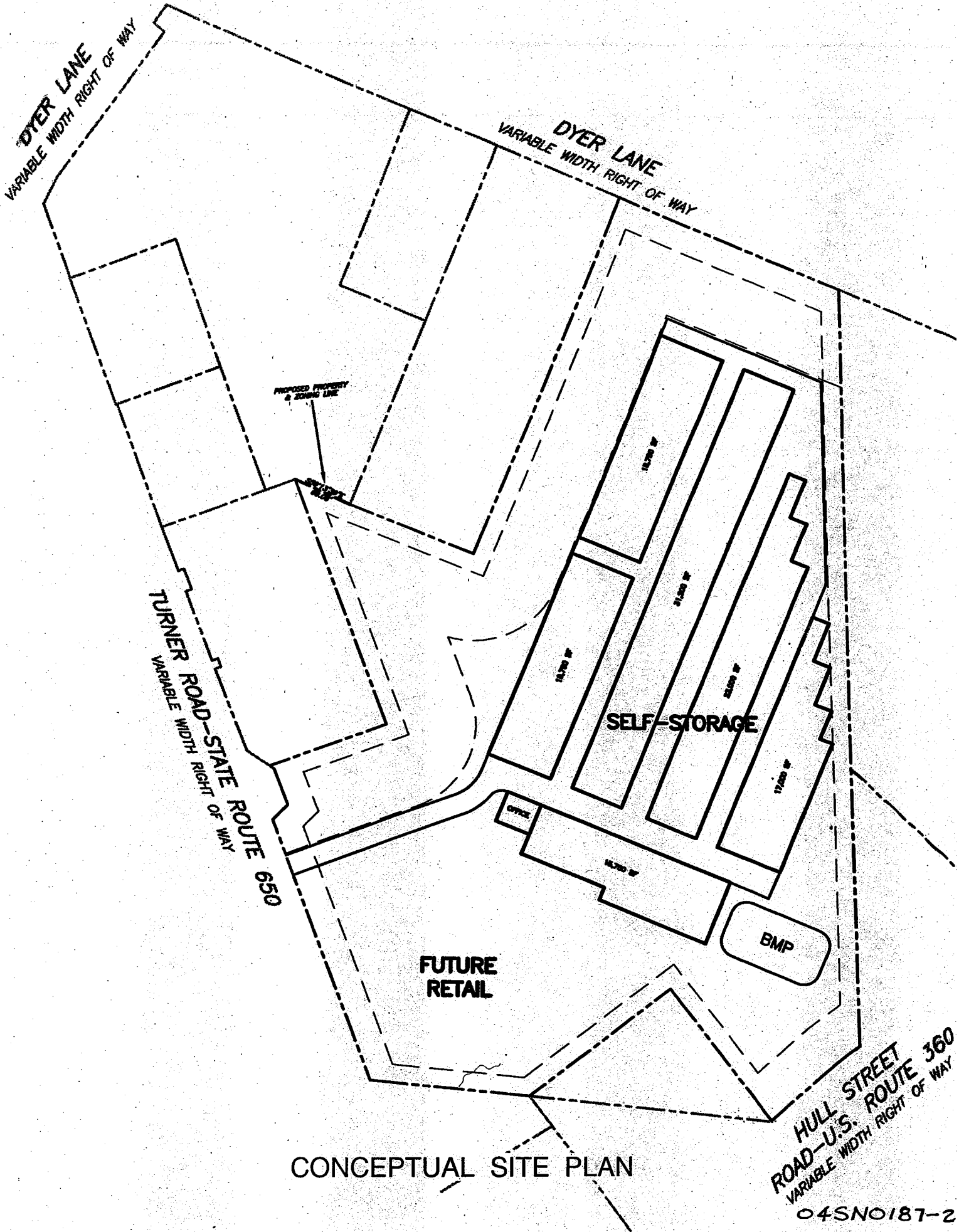
Map 6

Land Use Plan

Route 360 Corridor

-  Residential: 4 units/acre or less
-  Mixed Use Corridor
- Commercial**
-  Neighborhood Mixed Use
-  Community Mixed Use
-  General Commercial/Light Industrial
-  - - - Proposed Collector Roads (60' right of way)





CONCEPTUAL SITE PLAN

HULL STREET
ROAD-U.S. ROUTE 360
VARIABLE WIDTH RIGHT OF WAY

04SNO187-2